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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/609,502 | 07/03/2000 | Tomoyasu Katsuyama | 9281/3698 | 1658 |

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EXAMINER

LESPERANCE, JEAN E

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2674

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DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/609,502

Applicant(s)

KATSUYAMA ET AL

Examiner

Jean E Lesperance

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 10-14 and 16 is/are allowed.
- 6) ☒ Claim(s) 5 and 15 is/are rejected.
- 7) ☒ Claim(s) 6-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-16 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Parent number 5,539,425 ("Kamaguchi et al.").

As for claim 5, Kamaguchi et al. teaches adjusting the black level detection signal S1 so that the black level detection signal S1 does not operate in the black-framed area ARB but operates only in the NTSC image display area ARN (column 4, lines 22-25) where the black level detection signal S1 is different from the blanking pulse signal S2 corresponding to adjusting a first black level of digital image data such that the first black level of the digital image data is different from a second black level of blank data; an image of the NTSC system is displayed on a high vision video signal coordinating television receiver, the black level correction circuit 1 is capable of displaying the image in such manner as will not sense visually a boundary portion of the black-framed area ARB and the image display area ARA according to the NTSC system (column 4, lines 63-67 and column 5, lines 1 and 2) corresponding to displaying the digital image data

in an image display area and the blank data in the blank area of a display screen. The prior art does not explicitly teaches the first black level of digital image data. However, it teaches the NTSC system image is displayed on a so-called high vision video signal coordinating television receiver.

Thus it would have been obvious to a person of ordinary skill in the art to modify the digital image data to achieve a so-called high vision video signal coordinating television receiver because this would provide a display unit which is capable of displaying two video signals that are different in display area on the same screen.

As for claim 15, Kamaguchi et al. teaches displaying video signals of the NTSC which is different in aspect ratio on the same screen of a television receiver corresponding to high vision video signals (column 5, lines 4-6) and as can be seen in Figure 3A where the display with aspect ratio is divided by a line with is obvious made of pixel to differentiate the two aspect ratios on the same screen.

Allowable Subject Matter

Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-4, 10-14, and 16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the claimed invention is directed to an image display apparatus. Independent claims 1 and 10 identify a uniquely distinct feature "a black level setting mechanism to

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set a first black level of the digital image data by adjusting a lower-limit reference voltage of the A/D converter; a blank data generator to generate blank data to form the blank area around the image display area, a second black level of the blank area being independent of the first black level of the digital image area; an image data combiner to combine the blank data and the digital image data; and an output of the image data combiner being displayed on said screen".

The closest arts, Kamaguchi et al., as discussed above, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

Response to Amendment

Applicant's arguments filed 5-17-2004 have been fully considered but they are not persuasive. the applicant argued that the modification to modify the teachings of the single reference that the examiner may find arises solely from the arrangement disclosed by the applicant specification and that the examiner has not made out a prima facie case of obviousness with respect to the independent Claim 5 and in citing a single reference in support of a rejection under 35 USC 103 (a), the examiner acknowledges that the reference itself does not teach or suggest all the element in Claim 5. Examiner disagrees with the applicant the motivation that was used is not from the applicant specification and it is found in the prior art used in column 1 line 32-38). The examiner strongly believes that he has established a prima facie case because the motivation in the prior art is specific and clear to read on independent claim 5. Therefore, the rejection is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Lesperance whose telephone number is (703) 308-6413. The examiner can normally be reached on from Monday to Friday between 8:00AM and 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709 .

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA, Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Jean Lesperance



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Date 7-17-2004


7/22/04
RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600